

**Remarks**

Reconsideration of remaining claims 32-40 is respectfully requested.

Applicants believe that the claims, as presented, are allowable over the references of record in the parent application. In particular, the De La Bourdonnaye reference previously cited by the Examiner does not disclose, suggest or anticipate “determining whether the session rate matches one of a plurality of basic rates”, or “splitting the session, *in response to a non-match* of the session rate with any of the basic rates, into subsessions for queuing into at least one of the rate-specific queues”, as defined by independent claim 32. The portion of De La Bourdonnaye cited by the Examiner discloses the use of a mux/demux arrangement to first multiply a plurality of separate channels onto a single transmission line (at a transmitter) and then “split” (demultiplex) the signals into separate channels at the receiver. The receiver uses a clock 62 that is synchronized with the transmitter multiplexing operation to ensure that the proper signal is sent to the proper channel. There is no “determining” of matching rates, nor is there any “splitting” based on a “non-match”. There cannot be a non-matching in the arrangement of De La Bourdonnaye. The configuration is particularly set up and synchronized so that the receiver demultiplexing rates match the transmitter multiplexing rates (see column 2, lines 53-60).

Thus, it is asserted that De La Bourdonnaye, even when combined with Hardwick et al., cannot be found to render obvious the subject matter of the present invention.

Applicants thus respectfully request the Examiner to review claims 32-40 and allow this continuation application to pass to issue. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicants’ attorney at the telephone number listed below.

Respectfully submitted,

Fabio Massimo Chiussi  
Andrea Francini

By: Wendy W. Koba  
Wendy W. Koba  
Reg. No. 30509  
Attorney for applicants  
610-346-7112

Date: 12/29/03